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C O N F I D E N T I A L SECTION 01 OF 03 LOME 000737

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SUBJECT: TOGO: NATIONAL DIALOGUE ROUSES FROM SOJOURN WITH COMPAORE'S APPOINTMENT AS FACILITATOR

REF: A. LOME 452

1B. LOME 591

Classified By: Poloff Rona Rathod for reasons 1.4(b) and (d).

11. (SBU) Summary. Following an extended break in discussions caused by the contentious adoption of an interim agreement, the national dialogue process is suddenly back on track with the nomination of Burkinabe president Compaore as facilitator. The nine delegations unanimously agreed to cast Compaore in the role of facilitator during the initial meeting to discuss the matter. Parties seem to have put behind them the acrimony from the controversial interim accord that pervaded the process over the past few weeks. That accord offered little new substance as compared to the draft agreement of June. End summary.

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NATIONAL DIALOGUE AWAKES FROM FITFUL SLUMBER  
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12. (U) A prolonged pause in the national dialogue resulting from the controversial adoption of an interim agreement (misleadingly called a "Basic Political Accord") (see below) on July 6 came to an abrupt end July 25 when all nine participating delegations unanimously selected Burkina Faso president Blaise Compaore to mediate a second round of talks. The group (consisting of several prominent opposition parties, two civil society groups, the ruling party, and the government, who are conducting negotiations as the key part of the Togolese government's twenty-two governance- and human rights-related commitments to the European Union) reconvened in a plenary session to discuss the appointment of a facilitator to help them find consensus on remaining points of disagreement. Responding to a letter sent by dialogue chair and CAR (Action Committee for Renewal) president Yawovi Agboyibo requesting each delegation to submit names of candidates for facilitator, the two parties that had not agreed to the Basic Political Accord of July 6, UFC (United Forces for Change) and CDPA (Democratic Convention of African Peoples), proposed Compaore, among others, to occupy the post.

13. (C) On the day they met to discuss the issue of the facilitator, the delegates collectively agreed to appoint Compaore. During private discussions over the past week, Agboyibo, CDPA president Leopold Gnininvi, and presidential advisor Pascal Bodjona all seemed relatively unruffled by the prospect of needing to select a facilitator for the dialogue, previously a neuralgic topic. Moreover, we have heard that several of the party leaders have been in Ouagadougou recently. All of this suggests that the decision to settle on Compaore was predetermined and that the July 21 meeting was a formality to consecrate the appointment. To our knowledge, Compaore has yet to react publicly to the

announcement.

**¶4.** (C) The discussion will now turn to the mandate of the facilitator. According to Gnininvi, who has been meeting bilaterally with the other parties and acting as something of a bridge builder, the facilitator's terms of reference will consist of the July 6 accord and the points of disaccord that each delegation submitted as part of the dialogue process. During an interview on RFI, Bodjona hinted that the role of the facilitator would be limited and that only Togolese would and could make decisions. But the ease with which Compaore was appointed may mean that a deal was also struck on his authorities and prerogatives.

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ACCORD INDUCES DISSONANCE  
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**¶5.** (U) Before the revelation of the name of facilitator, the national dialogue had come to an interim conclusion with the adoption of the Basic Political Accord on July 6. Only seven of the nine participating delegations initialed the agreement, which chairman Agboyibo claims was necessary to preserve the accomplishments made since the dialogue began on April 21. Both the UFC and the CDPA refused to initial the document with the other delegates.

**¶6.** (U) UFC leaders Jean-Pierre Fabre (Secretary General) and Patrick Lawson (Third Vice-President), who boycotted the discussions the day the accord was adopted, held a press conference after its release, stating that the document was tantamount to political fraud and contrary to the spirit of consensus driving the dialogue. The UFC's primary contention about the agreement is that it did not also include points

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about which the delegates were unable to reach consensus, thus making it seem as though the document that was signed was the definitive agreement.

**¶7.** (U) For its part, the CDPA objected to signing this accord with points of disagreement outstanding. President Gnininvi, who also was not present during the initialing of the accord, suggested that the document be called an interim report, to which he would have signed his name. He also requested two or three day's time to discuss the accord with others for the purpose of maintaining consensus. The board rejected both of his pleas.

**¶8.** (SBU) In his first press conference following the acceptance of the agreement, dialogue chairman Agboyibo explained that the dialogue process was not able to bring a resolution to each point of discussion. However, the board (composed of chair Agboyibo, a representative of civil society, Professor Kisssem Tchangai-Walla as vice-president, and rapporteur Gilbert Bawara, the minister delegate of cooperation in the MFA) decided to formulate a foundational agreement to prevent the risk of participants backsliding on certain issues in the future. Furthermore, most participants were, from the outset, mindful of the likelihood of the talks stalling due to disagreements and had always allowed for the possibility of appointing a facilitator to help them work out the remaining points of disaccord. In what has turned out to mirror Agboyibo's own scheme, outlined long before the dialogue began (see ref A), the talks will now enter a second phase with the assistance of a facilitator.

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IMPORTANT PROVISIONS OF THE INTERIM ACCORD  
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**¶9.** (SBU) With regard to the electoral process, the opposition has made little headway with this agreement since the formulation of the draft accord (see ref B). The "radical" opposition, consisting of UFC, CAR, and CDPA, was unable to convince the ruling party to place it on equal

footing with respect to the highly-contentious composition of the electoral commission. The ruling RPT (Rally of Togolese Peoples) maintains its five seats to two advantage over the other political parties and will continue to benefit from the two places accorded to the government. Despite the fact that the dialoguers designated the electoral commission as the body responsible for organizing elections (as opposed to having to collaborate with the GoT), the imbalance in the composition of the commisouon, with only six of the nineteen seats going to the real opposition, will give the government a continuing influential role in organizing elections.

¶10. (U) The signatories to the Basic Political Agreement did consent to quash a residency requirement imposed by former president Eyadema to prevent certain of his foes from qualifying as contenders in previous legislative elections. As with the prior draft accord, this July 6 agreement leaves the particular features of the next ballot and possible redistricting to be determined by an as yet imprecise special committee. The delegates have also devised a means of appealing election results that does not involve the electoral commission and essentially allows any trial court with subject matter jurisdiction to adjudicate the dispute.

¶11. (U) The delegates have determined that constitutional reforms are best left in the hands of a newly elected parliament (presumably to include a much larger opposition presence, if not a majority), and have thus deferred on issues such as how the prime minister is selected, eligibility conditions for presidential candidates, and restructuring the constitutional court. All sides seem content to entrust the modalities of military reform to a commission created for this purpose, so long as the military promises to abstain from interfering in politics. The interim accord explicitly calls for external assistance with this process.

¶12. (C) Comment. The UFC's acceptance of Compaore strikes us as odd because of party leadership's distrust of anyone perceived as having close ties to former Togolese colonizer France. It appears that Compaore won over UFC's exiled president Gilchrist Olympio during recent visits by the latter to the region. We are pleased to see UFC rejoin the talks after weeks of denouncing the process, especially since it is the sole party consistently demanding fundamental changes needed to move Togo away from the political crisis that has gripped the country for decades. The fact that only UFC and CDPA responded to the appeal for nominating a facilitator points to a tacit understanding among the other

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parties that to get the UFC and CDPA back in the game would require selecting a mediator they proposed. This sense of inclusion bodes well for the future of the national dialogue.

¶13. (C) Another promising development is the tacit underlying compromise that appears to have evolved. The opposition will respect President Faure Gnassingbe's five-year mandate in return for the government's giving ground on opposition demands related to the other major governing institutions. However, confidence among the parties remains fragile, and much hard negotiating remains to be done. End comment.

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